

RECEIVED
CENTRAL FAX CENTER

5-12-04; 2:24PM;SSMP

;516 742 4366

5/ 6

MAY 12 2004

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Kevin S. WEADOCK, et al.

Examiner: Bradford C. Pantuck

Serial No: 10/085,738

Art Unit: 3731

Filed: February 28, 2002

Docket: 15314

For: SPONGE FOR CREATING
AN ANASTOMOSIS BETWEEN
VESSELS

Dated: May 12, 2004

Confirmation No: 8872

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 C.F.R. §§ 1.111 and 1.143

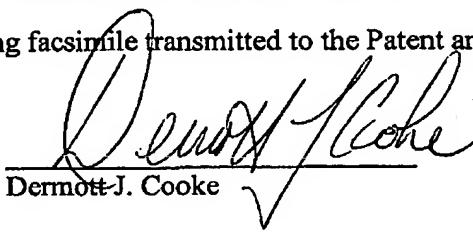
Sir:

In reply to the Restriction/Election Requirement mailed April 30, 2004 in the above-identified application, Applicants hereby elect Species I, drawn to claims 1, 2, 4-15, 29-33 and 38-41. Applicants also hereby assert that in addition to claim 29, identified as generic to all species in the Restriction/Election Requirement, claims 32, 33 and 38-41 are also generic to all species in this application. This election is made without traverse.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

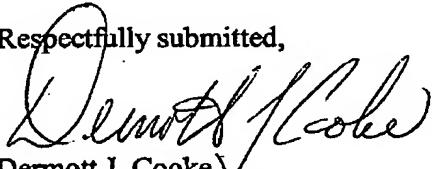
Dated: May 12, 2004


Dermott J. Cooke

H:\work\1538\15314\amend\15314.RR.doc

If anything further is desired to place this application in even better form for allowance, please contact the undersigned at the address and telephone number indicated below.

Respectfully submitted,



Dermott J. Cooke

Registration No: 41,685

Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530
Telephone: (516) 742-4343

DJC/ng

400 Garden City Plaza
 Garden City, New York 11530
 (516) 742-4343 - Telephone
 (516) 742-4366 - Facsimile
 e:mail: Infrprop@ssmp.com

**SCULLY, SCOTT, MURPHY
 & PRESSER**

**RECEIVED
 CENTRAL FAX CENTER**

MAY 12 2004

Fax

OFFICIAL

To:	Bradford C. Pantuck United States Patent & Trademark Office	From:	Dermott J. Cooke
Fax:	1-703-872-9306	Pages:	6 (including fax cover sheet)
Phone:		Date:	May 12, 2004
Re:	Kevin S. Weadock, et al. U.S. Patent Appln. No. 10/085,738 Our Docket: 15314	CC:	

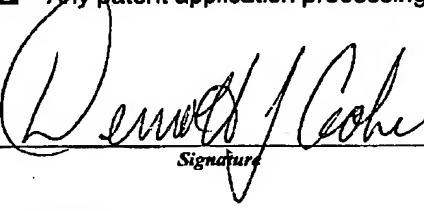
Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

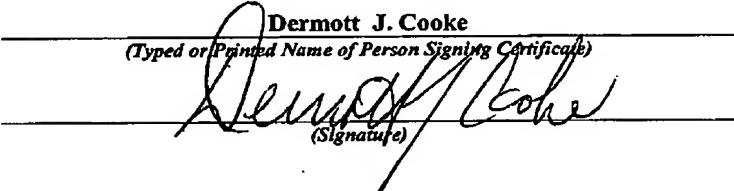
Attached for submission to the U.S. Patent and Trademark Office are the following:

- **Certificate of Transmission by Facsimile**
- **Amendment Transmittal Letter (in duplicate)**
- **Response Under 37 C.F.R. §§ 1.111 and 1.143**

CONFIDENTIALITY: The documents accompanying this facsimile transmission may contain information which is either confidential or legally privileged and is intended only for the authorized use of the individual or entity named above without right or publication or republication, dissemination or disclosure except as expressly set forth or established by course of dealing. All rights are reserved. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this facsimile is prohibited. If you received this transmission in error, please notify us immediately by telephone to arrange for return of the documents.

If you have any problems concerning this facsimile, please call (516) 742-4343 and ask for Nancy Gilmore @ Ext 522.

AMENDMENT TRANSMITTAL LETTER (Large Entity)			Docket No. 15314		
Applicant(s): Kevin S. Weadock, et al.					
Serial No. 10/085,738	Filing Date February 28, 2002	Examiner Bradford C. Pantuck		Group Art Unit 3731	
Invention: SPONGE FOR CREATING AN ANASTOMOSIS BETWEEN VESSELS					
<u>TO THE COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	41 -	41 =	0 x	\$18.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0 x	\$86.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<p><input checked="" type="checkbox"/> No additional fee is required for amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____.</p> <p><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP</p> <p><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p> <p><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p>					
 <u>Dermott J. Cooke</u> <i>Signature</i>					
Dated: May 12, 2004					
<p>I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37C.F.R. 1.8 and is addressed to the for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p>					
<i>Signature of Person Mailing Correspondence</i>					
<i>Typed or Printed Name of Person Mailing Correspondence</i>					
CC:					

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Kevin S. Weadock, et al.			Docket No. 15314
Serial No. 10/085,738	Filing Date February 28, 2002	Examiner Bradford C. Pantuck	Group Art Unit 3731
Invention: SPONGE FOR CREATING AN ANASTOMOSIS BETWEEN VESSELS			
<p>I hereby certify that this <u>Response Under 37 C.F.R. 1.111 and 1.143</u> <i>(Identify type of correspondence)</i></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u></p> <p>on <u>May 12, 2004</u> <i>(Date)</i></p> <p style="text-align: right;"><u>Dermott J. Cooke</u> <i>(Typed or Printed Name of Person Signing Certificate)</i>  <i>(Signature)</i></p>			
<p>Note: Each paper must have its own certificate of mailing.</p>			